IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
FARAD CONTINUATION SHEET
CIVIL APPLICATION NO.3119 OF 2006
IN
FIRST APPEAL NO.1576 OF 2006

Office Notes,Office memorandum of Coram, appearances,Court's orders or directions & Registrar's orders.	Court's or Judge's orders

Mr.S.M.Vidyarthi for the Applicant

CORAM: A.S.OKA, J.
DATED: JULY 25, 2006.

P.C.:

1. Heard learned Advocate for the Applicant. The challenge by the Applicant in the First Appeal is to the Award made for payment of compensation under the Motor Vehicles Act, 1988. The contention of the Applicant is that on the date of accident, the vehicle was not validly insured with the Applicant. It, therefore, submitted that the Applicant was not liable to satisfy the Award which is made against the insured.

2. The learned Judge has not accepted the case made out by the Applicant. Even if the Applicant succeeds in the Appeal, the Award against the insured will remain. The compensation which is paid to the original Claimant can always be recovered

by the Applicant from the insured in case the Applicant succeeds in the Appeal. No case is made out for grant of stay.

3. Subject to what is stated above, Application is rejected.

4. Time of twelve weeks is granted to the Applicant to comply with the impugned Award.

Judge.